

REMARKS

Priority

The “Cross-Reference to Related Applications” on page 1 has been amended to update the status of the parent application.

Claim Objections

Claims 11, 12, 14, 15, 19, 23, 41, 44, 54 and 56 stand objected to for inconsistent claim recitations. Applicant has amended claims 11, 12, 14, 15, 19, 23, 41, 44, 54 and 56 for clarity and consistency by reciting “said CD40⁺ immune cells” or “said dendritic cells”.

Rejections Under 35 USC §112, 2nd Paragraph

Claim 4 was rejected under 35 U.S.C. §112, second paragraph, for reciting the limitation “said antibody directed against CD40 antigen” with insufficient antecedent basis. Applicant has amended claim 4 to recite “said second antibody that binds to CD40 antigen”. The antecedent basis for this limitation is in claim 1 that recites “a second antibody that binds to CD40 antigen”. Accordingly, Applicant respectfully requests that the rejection of claim 4 under 35 U.S.C. §112, second paragraph, be withdrawn.

Double Patenting

Claims 1, 3-10, 25, 26 stand rejected and claims 11-17, 19-21, 23, 24, 27-30 are newly rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-6 of U.S. Patent 6,284,742. Applicant hereby submits a terminal disclaimer to obviate the rejection.

This is intended to be a complete response to the Office Action mailed July 1, 2003. If any issues remain outstanding, the Examiner is respectfully requested to telephone the undersigned attorney of record for immediate resolution.

Respectfully submitted,

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